

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

INI WATSON,)	
)	
Plaintiff,)	
)	
v.)	No. 4:21-CV-1405-JAR
)	
EQH SERVICE COMPANY, LLC, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Self-represented plaintiff Ini Watson initiated this civil action on November 30, 2021 by filing an employment discrimination complaint against an entity identified as “EQH Service Company, LLC,” and two individuals. Plaintiff claimed the defendants were liable to her for violating her rights under the Americans with Disabilities Act of 1990 (“ADA”). Plaintiff also filed a motion leave to proceed *in forma pauperis*.

The Court granted the motion, reviewed the complaint pursuant to 28 U.S.C. § 1915(e)(2), and determined that this action was subject to dismissal. Specifically, the Court determined that the two individuals could not be held liable under the ADA, and that plaintiff had failed to allege that EQH Service Company, LLC is or was her employer. In an order dated February 7, 2022, the Court dismissed the two individual defendants from this action, and directed plaintiff to file an amended complaint to identify the employer she wished to sue. The Court cautioned plaintiff that her failure to timely comply with the order would result in the dismissal of this case without further notice.

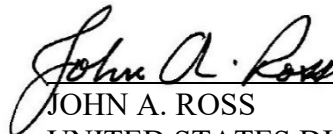
Plaintiff's response was due to the Court on March 9, 2022. To date, however, plaintiff has neither complied with the Court's order, nor sought additional time to do so. The Court gave plaintiff meaningful notice of what was expected, cautioned plaintiff that failure to timely comply would result in the dismissal of this case, and gave plaintiff additional time to comply. Therefore, this action will be dismissed at this time, without prejudice, due to plaintiff's failure to comply with this Court's February 7, 2022 order and her failure to prosecute this case. *See* Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d 801, 803-04 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order); *Dudley v. Miles*, 597 F. App'x 392 (8th Cir. 2015) (per curiam) (affirming dismissal without prejudice where *pro se* plaintiff failed to file an amended complaint despite being cautioned that dismissal could result from failure to do so).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 16th day of March, 2022.

A handwritten signature in cursive script, reading "John A. Ross", is written over a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE